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Richer Stirs Up Another Dispute

Insists Firm Open Rent Payment Suit; Says Profit Too Great

The "stormy petrel of the French Concession law courts," Dr. A. Richer, is to appear before the Consular Tribunal once again today, this time in an action he has precipitated against himself. First gaining attention for his battle against the French Municipality's way of electing land commissioners, Dr. Richer is now pursuing his reform campaign in fighting against what he terms the extra high rentals house-owners have imposed on lessees since the outbreak of the hostilities.

Going before Judge R. Kauffman in the latter's home, 631 Route Frelupt at 4 p.m. today since the judge is still convalescing from his car accident last year, Dr. Richer is being sued for non rent payment at his own request. The whole matter was settled when the crusading spenggen-ray expert told the present plaintiffs that if they didn't sue him he'd take them to court. He was determined to pursue his aims.

Recently, to make up for extra expenses imposed on the concession authorities by the hostilities, a "Defense Surtax" was placed on all properties. This ranged from 13 to 15 per cent. Owners of such properties were then allowed to make corresponding but not higher increases on their rentals. If they profiteered they were said to be liable to a fine of \$1500. However, the wording of this latter ruling was ambiguous, and a number of firms raised their rentals more than their lessors considered necessary to cover the "Defense Surtax," Dr. Richer contends.

Therefore, the stocky scientist decided to come to the fore and now he's after this new reform; for the Concession to define its attitude correctly and for property-owners to lower their rents. The latter for the general good of Concession residents, he adds.

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Dr. Richer's Case Against F.M.C. Is Continued

X-Ray Specialist Takes Stand On His Own Behalf To Plead Against Irregularity In The Election Of Land Commissioners

At yesterday's session of the protracted case of Dr. A. Richer, French X-Ray specialist, against the French Municipal Council, the stand was taken by Dr. Richer, who is pleading his cause himself without any counsel.

After a few caustic remarks about the unusual quality of the case in which "a small David dares to attack a big Goliath," Dr. Richer stated the facts of the case, which are rather unusual in themselves, as he protested against his own unanimous election to the post of Land Commissioner of the French Concession.

Before relating the history of the case, he replied to the objections made by Mr. G. Cattand, Consul and Municipal Advocate, who had tried to obtain a withdrawal of the case on the ground that Dr. Richer had no personal interest in the matter.

After a heated speech in which he proved that he had had such interest as a member of the Land Committee, the findings of which constitute the basis for the taxes collected from the local ratepayers, Dr. Richer told the court that according to the regulations issued

in 1935 and never altered since then, a delay of at least a week is necessary before a candidacy is posted and the actual day of the election. Moreover, the names of the candidates must be made public by the Municipal Council.

Dr. Richer sent in his letter on March 2, knowing that the election was to take place on the 4th of the same month. He did so on purpose, knowing the regulations, and at the same time drew the attention of the Consul-General, who is also Chairman of the Council, to the irregularity of such an election.

No Postponement

He expected that the election would be postponed, but this never happened and he received word from the Council that he had been elected. The other Commissioners to be elected were Mr. Loonis, Mr. McCrea and Mr. Chollot, who had sent in their letters on February 27.

Dr. Richer proved his point graphically by writing the respective figures on a blackboard and added that the Consul-General himself had read the regulations over together with him, upon the receipt of his letter.

Another irregularity, according to Dr. Richer, consists in the fact that the names of the candidates were never officially announced as it must be done according to the regulations. The names of several candidates, not of Dr. Richer himself, had only appeared on a billboard at the office of the Municipal Council, but had never been announced either in the local press nor in the Municipal Bulletin.

The case will be continued next Tuesday and it is expected that this will be the last hearing.

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Richer Presses Suit Against Frenchtown; Good Motive Claimed

Dr. A. Richer's long delayed law suit against the French Municipality came up in the French Consular Court again this morning as the plaintiff summed-up his case against the F.M.C.'s mode of electing Land Commissioners. Instituted nine months ago, the case is still continuing in the French Tribunal as this morning it was adjourned to January 25.

Dr. Richer is suing for an annulment of the Commission "elections" held on March 4, 1937, as he alleges there were no elections, and certain conditions laid down by law had not been adhered to. His chief point, he emphasized this morning, is that before a Commission poll can be held, one week's public notice of the candidates' names must be given.

He states that without this period of time in which ratepayers have to look over the candidates, elections cannot be legal.

In the course of the hearing today, Dr. Richer objected strongly to certain insinuations made by the defense as to the interest the plaintiff may have in the case. The doctor at one stage also took up chalk and demonstrated on a blackboard the exact situation he now is attempting to remedy that of having elections not according to law. He pointed especially to the fact that he was himself "elected" a candidate and received notice of this on March 3, whereas officially the polls were only set for March 4.

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Suit Against French Council Summed Up In Court Tomorrow

The final summing-up of a lawsuit that has been dragging nine months in the French Consular Court is to take place tomorrow morning at 10 o'clock when Dr. A. Richer, prominent local X-Ray expert, concludes his case against the French Municipal Council and this body's manner of electing land commissioners.

The French doctor brought action for the first time in April, 1937, after being elected one of the two commissioners and resigning that position as he stated his manner of election to the post was irregular. He brought suit for annulment of the March 4, 1937 election and asked for a new poll.

The case was delayed by several adjournments, and the recent automobile accident in which Judge R. Kauffman of the Tribunal was involved further postponed the suit. January 12 saw a hearing before Consul M. Auge, however, and tomorrow the summing-up is to be made.

Dr. Richer, it is understood, will present his case himself.

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RICHER SUIT COMES TO STANDSTILL

Complainant Demands To See Applications And Withdrawal Letter

The long drawn-out suit of Dr. Richer against the French Municipal Council, came practically to a standstill on Tuesday, when both Dr. Richer and Mr. D'Auxion de Buzet, his Counsel, insisted upon the necessity of producing in court the

application of the candidates to the post of Land Commissioners, as well as the letter in which Father Gerety, one of the candidates tendered his withdrawal.

Mr. Cattand, Municipal Advocate, replied that the letters could not be produced as they were in the hands of the Consul-General and he had no authority to take them.

Dr. Richer strongly insisted on his point, stressing the vital importance of the dates of these letters.

"If Father Gerety's withdrawal was sent in after March 2, this means that on the morning of March 3 (election day) there were

still three French candidates, and the elections had to take place, as in this case the Municipal Council had no right to resort to its general practice of appointing the Land Commissioners.

It will be remembered that Dr. Richer is taking action against the French Municipal Council for breach of municipal rules concerning the election of Land Commissioners, and demands a new election.

No decision on the matter was reached yesterday, but another session of the Court may be called before the summer holidays.

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The Shanghai Evening Post & Mercury, Thursday, July 8, 1937

Evidence Heard In Richer Case

Suit Against Council Up Again Before French Court

The case brought By Dr. A. Richer against the French Municipal Council's methods of holding land commissioner elections continued in the French Tribunal this morning as Mr. Ansaldi was called to give evidence. The witness, upon being questioned, revealed the fact that he was told to notify Mr. M. Gerey and P. Chollot of Dr. Richer's late candidacy on the evening of March 2.

Mr. G. Cattand, for the F.M.C., and Mr. d'Auxion de Ruffe, for the plaintiff, then questioned Mr. Ansaldi, who said that he could not tell the exact time at which he notified Mr. Gerey, and added that he did not know whether orders had been given on March 2 to prepare for the elections, which were supposed to take place on March 4.

The case now being heard in the Tribunal is to decide whether since 1927 the French Municipal Council's mode of electing land commissioners is irregular or not. Dr. Richer's chief claim to the fact that this year's election were not held in accordance with the laws and regulations set down, is that the names of the candidates were not posted one week before the date set for elections.

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FRENCH RATEPAYERS BEGIN MOVEMENT FOR MUNICIPAL ELECTION

**Issue On Concession
Council Revived By
Richer Case**

**TIMES CHANGED,
SAY PROPONENTS**

**Old Committee Said
Named In Period Of
Emergency**

By C. D. ALCOTT

Elections in the French Concession such as those held by the Shanghai Municipal Council every year may be the final outcome of the recent case brought against the French Municipal Council by Dr. A. Richer, well-known local roentgen-ray expert. It all depends on the views of the French Consular Court.

In this action, the doctor claims that the elections held for the posts of land commissioners in the Concession last year were illegal because they did not conform to the regulations governing the administration of the Concession.

The doctor, himself, was chosen to fill one of the posts but he refused to accept.

According to law, an announcement with the names of all candidates must be posted one week before election date. According to Dr. Richer, this was not done until the day before election. There were originally three candidates but one withdrew, leaving a place for the doctor.

It is his contention that the whole affair was illegal and while the case has not yet been completed—another hearing will be held this morning—he has succeeded in getting his views aired. He has been represented in court by Mr. D'Auxion De Ruffe.

Seeks Annual Election

While the case itself is apparently only concerned with the election of land commissioners, it really goes much deeper than that, according to information obtained yesterday.

The complainant is said to be seeking not only an election of land commissioners every year but an election of foreign members of the French Municipal Council as well. Judgment in favor of the complainant will mean an admission of irregularity, it was pointed out by THE CHINA PRESS informant, and hence the possibility of an election.

Questioned on the subject yesterday, Mr. D'Auxion stated that according to the administration regulations of the Concession, the present French Municipal Council is not a Council at all but a Provisional Committee, which had its beginning back in 1927.

According to the regulations, the attorney stated, a municipal council shall be elected yearly just as is now done in the International Settlement. In fact, this procedure was followed until 1927 when the French Consul General, Paul Naggler, now Ambassador to China, exercised a provision contained in

the regulations, permitting him to appoint a Provisional Committee to supplant the Council, it was pointed out.

Times Have Changed

According to this regulation, a Provincial Committee has the powers to function for three months before an election must be held.

The appointment of the committee by M. Naggler was done at a time when it was difficult to obtain sufficient candidates for the Council posts. But it is the contention of those interested in Dr. Richer's case that times have changed and that whereas as the regulations prescribe a lapse of only three months between the time of the appointment of a Provincial Committee and a Council election, 10 years had slipped by and nothing has been done about regular elections.

It was further pointed out yesterday that while the Chinese Ratepayers Association of the French Concession annually elects its Councillors, the foreign ratepayers under the present system do not have this privilege. It is estimated that there are about 2,500 foreign ratepayers living in the Concession.

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RICHER SUIT AWAITS JUDGE'S RETURN

**M. Kaufman Goes North to
Hear Cases**

FATHER GEREY HEARD AS WITNESS

Owing to the President Judge of the French Court, M. Rivelain Kaufman, going to Tientsin to conduct hearings, the case of Dr. A. Richer, who is suing the French Municipality because of alleged irregularities in the election of Land Commissioners, has been adjourned sine die.

Dr. Richer brought a civil action against the French Concession about two months ago, asking damages of \$1 because, he said, the recent election of two Land Commissioners to serve in the Concession during the present municipal year was not properly conducted. He was himself "elected" to fill one of the posts, but only after one of the other two candidates had withdrawn on the eve of "election." The formality of a ratepayers' vote was dispensed with.

One of the main points in Dr. Richer's action, as presented by his lawyer, M. d'Auxion de Ruffé, is that the election law demands a week's lapse between the clipping of nominations and the holding of the election; the names of all candidates are to be posted at the French municipal buildings and published in the municipal gazette before the date of election. He contends that his name was never brought before the ratepayers in this way.

At the last hearing in the action, held on Thursday of last week, the Rev. Father Gerey, Procurator of the Foreign Missions Society, gave testimony. Father Gerey, a former candidate for the post of Land Commissioner, declared that no pressure had been brought to bear upon him to withdraw his candidacy. A number of other witnesses had been heard at previous sessions of the Court.

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The Shanghai Evening Post & Mercury, Thursday, June 3, 1937.

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Richer-FMC Lawsuit Continues In Court

The French Municipal Council continued as defendants in the lawsuit brought by Dr. A. Richer for cancellation of the March 4 Land Commissioners' "election," this morning when Mr. M. Gerey, the man who had withdrawn his candidacy when he heard that there was to be an election after all, was called to take the witness stand.

Dr. Richer brought action against the F.M.C., claiming that the "elections" carried out on March 4 were not according to the rules and regulations of the Council, as there was not an interval of eight days between the time that they published the names of the candidates to the two posts open, and the time that the elections were to take place. He asked that a new election be held in accordance with the rules, and also claims \$1 compensation.

Mr. Gerey was questioned for about an hour this morning. Testimony of witnesses will be concluded this afternoon when the court sits again at 4.30 o'clock.

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Richer Election Case Postponed

Land Commission Case
Adjourned; Witness
Being Waited

The civil suit brought by Dr. A. Richer against the French Municipal Council's methods of electing their Land Commissioners was adjourned this morning in the French Consular Court as the Tribunal decided at Mr. Cattand's request to await the arrival of Mr. M. Gere in Shanghai, as he is considered by the defendants a material witness. Next hearing will be on June 3.

At previous hearings, the plaintiffs had summoned their witnesses, and though they had intended to call Mr. Gere, when they discovered he was not in Shanghai, and great delay would be occasioned they decided to do without him. Mr. Cattand this morning stated, however, that he wished to have Mr. Gere give evidence that he was not corrupted by the Council to hand in his withdrawal of candidacy when he heard that Dr. Richer had also entered his name for the two posts open, and that therefore there would have to be an election, and not a nomination.

Notice Not Given

The prominent roentgen-ray expert bringing action in the French Court alleged that according to the rules of the French Municipal Council, the election of the Land Commissioners in the French Concession had to take place only eight days after notice of the candidates' names had been given. He further states that this notice had not been given, as he had presented his candidacy on March 2, and the "elections" took place on March 4.

This summary nomination of Mr. P. Chollot and himself to the paying posts, Dr. Richer states, constituted a loss of face to him, as he had previously commented on the irregularity of the manner in which Land Commissioners were elected. Mr. Gere had at first been a candidate to the two open positions, but upon hearing that Dr. Richer had also sent his name in, he had withdrawn his. It was Mr. Cattand's stand today that he wished to prove conclusively that the absent man had not been persuaded to withdraw his name, so as to obviate the necessity of an election. Also, he wished to call one more witness, a Mr. Ansaldi, who had been charged with informing Messrs. Chollot and Gere on March 2 of Dr. Richer's candidacy.

Evidence Corrected

A rectification of evidence presented at the last hearing was also made by Mr. M. M. Verdier, who wished to correct a certain passage in which Mr. Baudes was referred to as the president of the F.M.C., whereas Mr. Verdier meant the French consul-general. This

change was necessary as in the former case the Tribunal was competent to judge the case before them, while in the latter it was not.

At 11.20 a.m., the Tribunal left the court to decide whether it would adjourn the case to such time as Mr. Gere returned, or whether the case was to be concluded without the presentation of further evidence. Mr. d'Auxion de Ruffe, for the plaintiff, asked that the case be concluded as soon as possible as it was a matter of general interest, whereas Mr. Cattand stated that he wished all to be brought out and nothing hidden, and therefore wanted an adjournment.

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THE NORTH-CHINA DAILY NEWS, MONDAY, APRIL 26, 1937

A new journal "La Protection des Français a Shanghai," the director of which is Dr. A. Richer, who at the present time is plaintiff in a lawsuit against the French Municipal Council concerning what he alleges to be illegal electioneering, has just been issued and a copy has been received.

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CASE AGAINST THE F.M.C. CONTINUED

Dr. Richer Speaks On "Due Publicity" In Elections

The hearing of Dr. Richer's suit against the French Municipal Council, did not make much headway yesterday in the French Consular Tribunal, as Judge R. Kaufman opened the session by pointing out to Dr. Richer that one of the points of his complaint concerning alleged influencing of the candidates to make them withdraw from the lists before the elections could not be discussed, unless worded in a different way.

Mr. d'Auxion de Ruffe, for the plaintiff, agreed to do so in time for the next session.

Moreover, the judge explained that Dr. Richer had been mistaken in saying that the name of the other candidate beside himself, Mr. P. Chollet, had not been given "due publicity" as provided by the French Municipal regulations. The name had been announced and put on a billboard in the Secretariat of the French Consulate General.

Dr. Richer then made a lengthy speech, stating that he had looked upon the publicity matter "through the eyes of an ordinary ratepayer," and that he had never thought that the billboard could mean "due publicity," when there were such means as the French Municipal Bulletin and the press available for this purpose.

Furthermore he stated with reference to the question of the number of candidates, that he had never intended raising it in Court, and that in the previous hearing he had emphasized this fact.

"My Counsel, Mr. D'Auxion de Ruffe, advised me to bring the matter up," Dr. Richer said, "but I refused to do so out of feeling of respect and deference, and now this matter is being brought up by the Court."

"As a matter of fact," the plaintiff went on, "I was so concerned about the matter that I wrote a letter to Mr. D'Auxion about this asking him to leave the matter alone. This was on the night before the first hearing, and as I am not very good at typing, it took me the whole night to finish it. It was 7 a.m. when I brought it to Dr. D'Auxion and I was in such a hurry that I had no time to dress and drove over to him in my dressing gown."

Mr. G. Cattand, Municipal Advocate, reiterated the point of view of the Municipal Council, stating that Dr. Richer had no interest in the case and that he had suffered no prejudice, as he owns no land in the Concession.

Mr. Beauroy, Vice-Consul, then took the stand and explained the way in which the names of the candidates had been announced. He was emphatic in stating that they had been put on the billboard immediately upon receipt of letters of application from the candidates, but he could not recall the dates when this had been done.

"I keep no diary concerning small things like this," he said, "and the

whole business did not interest me in the least."

When asked about the number of candidates, Mr. Beauroy admitted that Rev. Geray had been on the list, and that later on "there had been some talk" about him.

"I do not remember the connection, in which his name was mentioned," he concluded, "but I believe he wanted to withdraw his name from the list of candidates."

The case was adjourned until May 10.

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MUNICIPAL OFFICERS GIVE EVIDENCE

Dr. Richer's Action Is Continued In French Consular Court

Several French notables were among the witnesses yesterday at the hearing of Dr. A. Richer's suit against the French Municipal Council, in connection with the election of Land Commissioners, which Dr. Richer alleges to be faulty and based on errors.

Mr. P. Chollot, the second candidate, who was elected together with Dr. Richer was the first to take the stand. He denied having tried to withdraw his name from the list of candidates under pressure, and added that he wanted to do so, as he had been informed that there was a third candidate.

"I had offered myself as a candidate only on the condition that I would be appointed and not elected," the witness added.

Mr. J. Verdier, Director General of the French Municipal Council was emphatic in denying that any pressure was brought to bear upon the candidates. He confirmed that both Mr. Chollot and the Rev. Pere Geray had expressed their wish to be appointed and not elected, and said that this accounted for the Rev. Pere Geray withdrawing from the elections, when a third candidate had put in an appearance.

As to the fact that the necessary delay of a week between the nomination of the candidates and the elections had not been observed, Mr. Verdier stated that the day for the election was fixed by the Consul-General.

"Did you not draw his attention to the fact that more delay was necessary according to the regulations?" Mr. D'Auxion de Ruffe asked.

"The Consul-General did not ask my opinion in this connection," the witness replied.

Mr. E. Fauraz, Administrative Director of the Municipal Council, testified along the same lines, adding that there had been practically no elections during the last ten years.

The Municipal Advocate, Mr. Cattand, insisted on calling the Rev. Pere Geray as a witness. Mr. D'Auxion de Ruffe said that he did not think it necessary, especially as this would mean a further delay in view of Pere Geray's absence from Shanghai.

"Whatever the outcome is, I believe we have won a moral victory already," Mr. D'Auxion de Ruffe concluded.

The case was adjourned until May 25.

D.C. (Sp.Br.)

October 13, 1936.

Arrest in Hangchow of two male foreigners
and a Chinese girl

At 4 p.m. October 11, 1936, two male foreigners and one female Chinese were arrested by the Chinese police in Hangchow while they were leaving the New Hotel and brought to Police Headquarters there for interrogation as they were reported to have taken photographs in military areas.

The two foreigners are Dr. L.P. Calame, Swiss, residing at 1182 Avenue Joffre, Shanghai, and Dr. A. Richer, French, X-Ray specialist of Hospital St. Marie, 197 Route Pere Robert. The latter has travelled extensively in the interior of China and has made several trips to Hangchow. The Chinese female is one Miss Hsu, secretary of Dr. Calame.

The films found on the foreigners were subsequently developed but revealed nothing to which the Chinese Authorities objected. The trio were released at 9 p.m. the same day.

The three persons arrived in Hangchow from Shanghai on the afternoon of October 10 in motor car No.266 registered in the name of Quang Tye Sie, House 2, Passage 345, Route Herve de Sieyes. After their release by the Hangchow Police, they left for Shanghai at 10 p.m. October 11.



J. B. Rose
C. D. I.